

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) Audit Referral
) #99-15/MUR 4713
Clinton/Gore '96 Primary)
Committee, Inc., and Joan)
Pollitt, as treasurer;)
Democratic National Committee)
and Carol Pensky, as treasurer;))
President William J. Clinton;)
Harold M. Ickes, Esquire)

MUR 4970

CERTIFICATION

I, Darlene Harris, recording secretary for the Federal Election Commission executive session on February 2, 2000, do hereby certify that the Commission decided to take the following actions with respect to Audit Referral 99-15/MUR 4713:

A. Failed in a vote of 3-3 to pass a motion to:

1. Open a MUR.
2. Find reason to believe that the Democratic National Committee and Carol Pensky, as treasurer, violated 2 U.S.C. § 441a(a)(2)(A).
3. Find reason to believe that the Democratic National Committee and Carol Pensky, as treasurer, violated 2 U.S.C. § 441b(a) and 11 CFR § 102.5(b).
4. Find reason to believe that the Democratic National Committee and Carol Pensky, as treasurer, violated 2 U.S.C. § 434(b)(4).

(continued)

5. Find reason to believe that the Clinton/Gore '96 Primary Committee, Inc., and Joan Pollitt, as treasurer, violated 2 U.S.C. § 441a(f).
6. Find reason to believe that the Clinton/Gore '96 Primary Committee, Inc., and Joan Pollitt, as treasurer, violated 2 U.S.C. § 441b(a).
7. Find reason to believe that the Clinton/Gore '96 Primary Committee, Inc., and Joan Pollitt, as treasurer, violated 2 U.S.C. §§ 441a(b)(1)(A) and 441a(f), and 26 U.S.C. § 9035(a).
8. Find reason to believe that the Clinton/Gore '96 Primary Committee, Inc., and Joan Pollitt, as treasurer, violated 2 U.S.C. §§ 434(b)(2)(C) and 434(b)(4), and 11 CFR §§ 104.13(a)(1) and 104.13(a)(2).
9. Find reason to believe that President Clinton violated 2 U.S.C. § 441a(f).
10. Find reason to believe that President Clinton violated 2 U.S.C. § 441b(a).
11. Find reason to believe that President Clinton violated 2 U.S.C. §§ 441a(b)(1)(A) and 441a(f), and 26 U.S.C. § 9035(a).

Commissioners Mason, Thomas, and Wold voted affirmatively for the motion. Commissioners Elliott, McDonald and Sandstrom dissented.

(continued)

B. Decided by a vote of 6-0 to:

Open a MUR.

Commissioners Elliott, Mason, McDonald, Sandstrom,
Thomas and Wold voted affirmatively for the decision.

C. Failed in votes of 2-4 to pass motions,
with respect to the following
advertisements:

Protect, Moral, Emma, Sand, Families,
Threaten, Firm, Presidents, People,
and Children,

to:

1. Find reason to believe that the Democratic National Committee and Carol Pensky, as treasurer, violated 2 U.S.C. § 441a(a)(2)(A).
2. Find reason to believe that the Democratic National Committee and Carol Pensky, as treasurer, violated 2 U.S.C. § 441b(a) and 11 CFR § 102.5(b).
3. Find reason to believe that the Democratic National Committee and Carol Pensky, as treasurer, violated 2 U.S.C. § 434(b)(4).
4. Find reason to believe that the Clinton/Gore '96 Primary Committee, Inc., and Joan Pollitt, as treasurer, violated 2 U.S.C. § 441a(f).
5. Find reason to believe that the Clinton/Gore '96 Primary Committee, Inc., and Joan Pollitt, as treasurer, violated 2 U.S.C. § 441b(a).

(continued)

6. Find reason to believe that the Clinton/Gore '96 Primary Committee, Inc., and Joan Pollitt, as treasurer, violated 2 U.S.C. §§ 441a(b)(1)(A) and 441a(f), and 26 U.S.C. § 9035(a).
7. Find reason to believe that the Clinton/Gore '96 Primary Committee, Inc., and Joan Pollitt, as treasurer, violated 2 U.S.C. §§ 434(b)(2)(C) and 434(b)(4), and 11 CFR §§ 104.13(a)(1) and 104.13(a)(2).
8. Find reason to believe that President Clinton violated 2 U.S.C. § 441a(f).
9. Find reason to believe that President Clinton violated 2 U.S.C. § 441b(a).
10. Find reason to believe that President Clinton violated 2 U.S.C. §§ 441a(b)(1)(A) and 441a(f), and 26 U.S.C. § 9035(a).

Commissioners Mason and Wold voted affirmatively for the motions. Commissioners Elliott, McDonald, Sandstrom, and Thomas dissented.

- D. Failed in votes of 3-3 to pass motions,
with respect to the following
advertisements:
Slash, Table, Challenges, Welfare, Victims,
No, Stop, Proof, Facts, Supports, Photo,
Background, Help, Finish, Same, Side, Dreams,
Defends, Values, Another, Enough, and Economy,
to:

1. Find reason to believe that the Democratic National Committee and Carol Pensky, as treasurer, violated 2 U.S.C. § 441a(a)(2)(A).

(continued)

2. Find reason to believe that the Democratic National Committee and Carol Pensky, as treasurer, violated 2 U.S.C. § 441b(a) and 11 CFR § 102.5(b).
3. Find reason to believe that the Democratic National Committee and Carol Pensky, as treasurer, violated 2 U.S.C. § 434(b)(4).
4. Find reason to believe that the Clinton/Gore '96 Primary Committee, Inc., and Joan Pollitt, as treasurer, violated 2 U.S.C. § 441a(f).
5. Find reason to believe that the Clinton/Gore '96 Primary Committee, Inc., and Joan Pollitt, as treasurer, violated 2 U.S.C. § 441b(a).
6. Find reason to believe that the Clinton/Gore '96 Primary Committee, Inc., and Joan Pollitt, as treasurer, violated 2 U.S.C. §§ 441a(b)(1)(A) and 441a(f), and 26 U.S.C. § 9035(a).
7. Find reason to believe that the Clinton/Gore '96 Primary Committee, Inc., and Joan Pollitt, as treasurer, violated 2 U.S.C. §§ 434(b)(2)(C) and 434(b)(4), and 11 CFR §§ 104.13(a)(1) and 104.13(a)(2).
8. Find reason to believe that President Clinton violated 2 U.S.C. § 441a(f).
9. Find reason to believe that President Clinton violated 2 U.S.C. § 441b(a).
10. Find reason to believe that President Clinton violated 2 U.S.C. §§ 441a(b)(1)(A) and 441a(f), and 26 U.S.C. § 9035(a).

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Commissioners Mason, Thomas and Wold voted affirmatively
for the motions. Commissioners Elliott, McDonald, and
Sandstrom dissented.

Attest:

February 8, 2000
Date

Darlene Harris
Darlene Harris
Acting Deputy Secretary
of the Commission